

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND / ODESSA DIVISION

FLARE INDUSTRIES, LLC d/b/a
AEREON

v.

ZEECO, INC. AND JESUS CHAVEZ

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CIVIL ACTION NO. _____

DEFENDANTS ZEECO, INC. AND JESUS CHAVEZ'S
NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Zeeco, Inc. and Jesus Chavez ("Defendants"), files this Notice of Removal of this Civil Action to the United States District Court for the Western District of Texas, Midland / Odessa Division. In support of this Notice of Removal, Defendants respectfully shows as follows:

1. On August 21, 2019, Plaintiff Flare Industries, LLC ("Plaintiff") filed its Original Petition in Cause No. CV55912; *Flare Industries, LLC d/b/a Aereon v. Zeeco, Inc. and Jesus Chavez*; In the 441st Judicial District Court of Midland County, Texas. Defendant Zeeco, Inc. received a copy of Plaintiff's Original Petition on August 23, 2019. Therefore, this Notice of Removal is timely under 28 U.S.C. §1446(b). The undersigned counsel represents Defendants who consent and join in this Notice of Removal pursuant to 28 U.S.C. §1446(b)(2)(A).
2. Attached as Exhibit A, is a list of all counsel of record.

3. This case is removable under 28 U.S.C. § 1441, and the Court has jurisdiction over this matter, because the suit involves a controversy between citizens of different states.¹

4. There is complete diversity between the parties. At the time of the filing of this action, and at the time of removal, Plaintiff was and is a citizen of the State of Delaware. Defendant Zeeco, Inc. was and is a citizen of the state of Oklahoma. Defendant Jesus Chavez, who has not been served, was and is a citizen of the state of Texas.

5. Plaintiff has alleged monetary damages up to \$100,000.

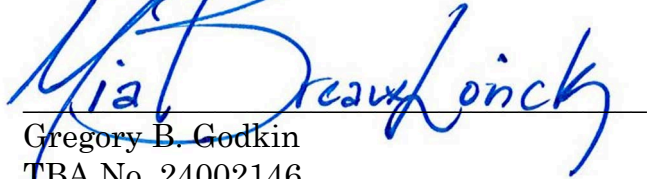
6. Defendants will provide this Notice of Removal to Plaintiff by service of a copy upon their counsel of record, in accordance with 28 U.S.C. §1446(d). Further, a copy of this Notice of Removal will be filed with the District Court of Midland County, Texas in accordance with 28 U.S.C. §1446(d).

7. Therefore, Defendants pray that this cause be removed from the 441st Judicial District Court of Midland County, Texas to this Court, and for all other relief to which Defendants may be entitled.

¹ See 28 U.S.C. §§ 1332 and 1441.

Respectfully submitted,

Roberts Markel Weinberg Butler Hailey, PC



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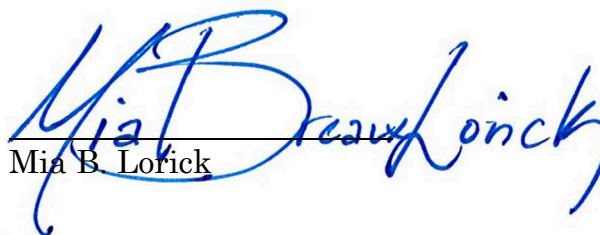
ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the following counsel of record pursuant to the Texas Rules of Civil Procedure on 29th day of August 2019.

Via E-Service:

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ATTORNEY FOR PLAINTIFF


Mia B. Lorick